

**United States Bankruptcy Court
District of Rhode Island**

Minutes of the February 6, 2002 Meeting of the Attorney Advisory Committee

The seventh meeting of the Bankruptcy Court's Attorney Advisory Committee was held at the Clerk's Office on Wednesday, February 6, 2002, at 3:30 p.m.

<u>Attendance:</u>	Patricia Antonelli	Robert Huseby
	Mark Buckley	Christopher Lefebvre
	John Fitzgerald	John Rao
	Peter Furness	Sheryl Serreze
	Lisa Geremia	Christopher Marshall, U.S. Trustee (Guest)
<u>Court Staff:</u>	Susan Thurston	Joe Wilkicki
	Ann McGloshen	
<u>Absent:</u>	Charles Pisaturo	David Reilly
	Thomas Quinn	

Introduction:

The meeting was called to Order by Susan Thurston, Clerk of Court. Mr. Christopher Marshall, U.S. Trustee for Region One, was introduced to the members and attended as a guest.

Approval of Minutes: The minutes of the September 26, 2001 meeting were approved.

Discussion of Food for Thought seminars: The seminars were all well attended and received excellent feedback. A lengthy discussion ensued regarding the manner in which Motions for Relief from Stay are handled in Rhode Island compared with Massachusetts, which often results in additional legal fees being incurred because of the joint pretrial order requirement. Susan stated that she is willing to speak with Judge Votolato about these concerns, once they are put in writing. Patricia Antonelli agreed to write a memorandum highlighting the problem with recommended solutions, taking into consideration the practice in the other New England states.

Demonstration of New Courtroom Technology: Joe Wilkicki demonstrated the court's new evidence presentation system to the members. The committee discussed how training should be delivered and provided suggestions to the court. It was suggested that in some instances attorneys may wish to bring an associate or paralegal with them to assist with the use of the document presentation equipment. A hand-out was distributed which listed the types of equipment and technology installed. Also discussed was the laptop hook-ups available at counsel tables. Committee members reviewed and provided feedback on the laptop technical requirements document entitled: *Technical Requirements Needed to Access Internet via Personal Laptop in Courtroom*. The committee was enthusiastic about the technology and provided valuable feedback on how it can be used.

Susan advised that additional courtroom construction would be completed this year to include the enlargement of the judge's conference room, relocation of courtroom seating and removal of the jury box. With these changes, both the courtroom and conference room should be more functional. In addition, it is anticipated that sometime next year, the court will also have video conferencing available.

Review of Local Rules re: Laptops in the Courtroom: Feedback was solicited from the committee members on suggested language to modify Local Rule 5072 concerning the use of laptops in the courtroom, as a result of the newly added technology capabilities. The committee suggested that the current language be amended to read, "Laptop computers will be allowed in the courtroom only upon prior request and approval of the Court, *except while in use at counsel table.*"

Update on Bankruptcy Clinic and discussion of Proposed Local Rule: Sheryl Serreze facilitated this portion of the meeting and updated the committee on the progress of the proposed program. Sheryl provided committee members with a series of documents including (1) Local Rule 46 of the U.S. Court of Appeals for the First Circuit; (2) a Draft copy of RI Local Bankruptcy Rule 9010-1(5) Re: Student Admission; (3) RI Rules of Supreme Court Rules, Article II. Admission of Attorneys and Others to Practice, Rule 9. Nonresident Attorneys–Senior Law Students; and (4) a draft motion for special admission of law student, for the committees review. Sheryl stated that Roger Williams University School of Law has approved the course as a practicum (rather than a clinic), and it will be known as the Bankruptcy Practicum. Under the ABA regulations, students enrolled in the Practicum must be supervised by an attorney. The course will be offered in the Evening Division, but day students will be accepted. There will be no space and equipment start up costs because the bankruptcy practicum will use the current space occupied by the other clinical programs when they are not in session (i.e. in the afternoons and evening hours). Students will receive either 4 or 5 credit hours for the practicum. It is anticipated that the practicum will begin in September with 6 to 8 students. Sheryl solicited a steering committee to work with her in finalizing the proposed local rule for student admission in the bankruptcy court and to help identify supervising attorneys. Peter Furness, John Rao and Lisa Geremia volunteered to serve on this steering committee.

CM/ECF Update: Susan gave a brief status report on the upcoming implementation of CM/ECF in the court. She encouraged committee members who have not yet signed up to serve on one of the two available subcommittees (training or local rules). More information and details will be available at the next meeting.

UST Begins Debtor ID Program: John Fitzgerald and Christopher Marshall discussed the commencement of new Debtor Identification Program in Region One, which was piloted nationally in 2001. The program is a national policy effective February 1, 2002 for cases filed after that date. The UST is mailing notice of the new requirement to the top 100 Bankruptcy practitioners in Rhode Island and the court has copies of the notice in the public area.

Chris Marshall also discussed the US Trustee's new initiative on civil enforcement in bankruptcy. The purpose of this program is to curb abuse of the bankruptcy system. The program's initiatives were issued publicly through a press release in Washington, DC on October 30, 2001. Committee members received hand-outs on both programs.

Next Meeting: Scheduled for **Wednesday, May 1, 2002 at 3:30 p.m.** at the Clerk's Office.

Adjournment: The meeting was adjourned at 5:35 p.m.